

1-1 By: Nelson S.B. No. 279  
1-2 (In the Senate - Filed November 12, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 March 2, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 2, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 279 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a prohibition against certain court orders in a suit  
1-11 affecting the parent-child relationship during a parent's military  
1-12 deployment.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 151, Family Code, is amended by adding  
1-15 Section 151.004 to read as follows:

1-16 Sec. 151.004. PROHIBITION AGAINST CERTAIN ORDERS DURING  
1-17 PARENT'S MILITARY DEPLOYMENT. A court may not render an order  
1-18 affecting the terms of a parent's possession of or access to the  
1-19 parent's child on the sole grounds that the parent has voluntarily  
1-20 abandoned or left the child or has otherwise voluntarily  
1-21 relinquished the primary care and possession of the child if the  
1-22 parent has temporarily relinquished the primary care and possession  
1-23 of the child to another person during a period in which the parent:

1-24 (1) is ordered to duty as a member of the armed forces  
1-25 of the United States, the Texas National Guard, or the National  
1-26 Guard of another state without the option of being accompanied by  
1-27 the child; and

1-28 (2) is serving in a location where access to the child  
1-29 is not reasonably possible.

1-30 SECTION 2. The changes in law made by this Act apply to a  
1-31 suit affecting the parent-child relationship that is pending in a  
1-32 trial court on the effective date of this Act or filed on or after  
1-33 that date.

1-34 SECTION 3. This Act takes effect September 1, 2009.

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